

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
5:20-CV-00066-MR

MICHAEL ODELL FAIR,                          )  
    )  
Plaintiff,                                        )  
    )  
vs.    )  
    )    ORDER  
    )  
    )  
JASON MUNDAY,                                )  
    )  
Defendant.                                      )  
    )  
\_\_\_\_\_

**THIS MATTER** is before the Court on review of this docket in this matter.

Plaintiff Michael Odell Fair (“Plaintiff”) filed a *pro se* civil action on May 14, 2020 pursuant to 42 U.S.C. § 1983. [Doc. 1]. After granting Plaintiff in forma pauperis status, the Court conducted initial review of Plaintiff’s Complaint pursuant to 28 U.S.C. § 1915(e)(2). The Court found that Plaintiff failed to state a claim upon which relief can be granted and allowed Plaintiff thirty (30) days from September 2, 2020 to amend his Complaint in accordance with the terms of the Court’s Order. [Doc. 8]. The Court advised Plaintiff that if he failed to timely file an amended Complaint, this action would be dismissed without prejudice and without further notice to Plaintiff. [Id. at

8].

More than 30 days have passed, and Plaintiff has not filed an amended complaint. The Court will, therefore, dismiss this action without prejudice.

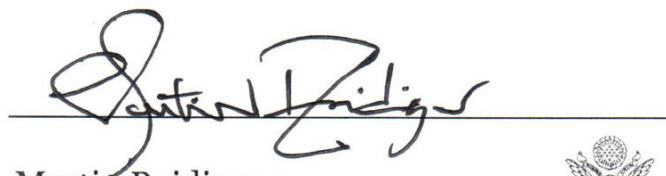
**ORDER**

**IT IS, THEREFORE, ORDERED** that Plaintiff's Complaint [Doc. 1] is dismissed without prejudice.

The Clerk is instructed to terminate this action.

**IT IS SO ORDERED.**

Signed: October 23, 2020



---

Martin Reidinger  
Chief United States District Judge

